



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,686	04/05/2000	Daryl L. Champagne	200-0090	6796

33198 7590 01/06/2003

BARTON E. SHOWALTER
2001 ROSS AVENUE, 8TH FLOOR
DALLAS, TX 75201-2980

EXAMINER

GART, MATTHEW S

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 01/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/543,686

Applicant(s)

CHAMPAGNE ET AL.

Examiner

Matthew s Gart

Art Unit

3625

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Examiner rejected claims 1-44 in an Office Action mailed July 2, 2002. Applicants amended claims 21 and 22 and traversed Examiner's rejection of the remaining claims.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Applicants further argue that Henson does not provide an order confirmation message. However, applicants state that Henson's system includes "conveying a message of appreciation to the customer for his business". Examiner maintains that "conveying a message" is functionally the same as "sending a message." Furthermore, in both the immediate application and in Henson the "message" serves the same end purpose. Also in both the immediate application and in Henson the message is generated by the vendor and sent to the user.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject

Art Unit: 3625

matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henson in view of Peterson et al. (US 6,324,522), and further in view of Official Notice.

Henson discloses a web-based online store for selling customer-configured computers, including a user interface, a web server for processing orders, and a processor for routing submitted customer orders according to customer classifications. Users can input product configuration parameters on a web page to create a custom order for a computer system, which is routed to an order processor via the web server. The custom order includes user-entered customer data and payment data. Customers are assigned a customer number for future reference when making purchases and easy access to their information. The online store generates a thank-you page which confirms that an order has been placed and thanks the customer for placing an order (see at least Figures 1 and 3-7, col. 5 lines 23-27).

Please note that while Henson does not explicitly disclose scheduling the product described in the custom order for manufacturing, it would be obvious to one skilled in the art of manufacturing to schedule a customer's ordered computer to be built. The central object of Henson's system is to provide a computer in a timely manner to a customer, including calculating which customer-selected features would delay building and shipment of the computer and therefore cause a delay in delivery of the computer

Art Unit: 3625

to the customer (see at least col. 6, lines 44-51 and col. 7 lines 1-21). The shipment delay indicator calculates which hardware options will require more time for the manufacturer to build and therefore will need more time scheduled in order to build. Since a manufacturing schedule is a timetable for building a product, there must be a schedule in order to calculate which options will require more build time. Therefore scheduling is an obvious component of a product ordering system operated by the product's manufacturer.

Please also note that while Henson does not explicitly disclose routing a message to a workflow manager, the use of workflow software is old and well-known in the manufacturing and business arts and it would have been obvious to modify the system and method of Henson to include the use of a workflow manager as taught by Official Notice, in order to route an order for processing.

Henson fails to provide a user selecting a dealer, routing a message to a B-to-B server, generating a unique order number, modifying inventory data in an inventory database to indicate unavailability, or generating a confirmation message. Peterson discloses an electronic item distribution and inventory control system that teaches a plurality of vendors listed by region that can be selected by a customer to place an order. The system creates an order number for each order and generates different confirmation messages regarding the order, depending on what action the user takes, such as editing and canceling orders or quotes. Submitted purchase orders are transmitted in real time to a vendor's inventory control database for processing and updating of the vendor's inventory (see at least Fig 1, Fig 2, and col.32, lines 32-39).

Art Unit: 3625

It would have been obvious to combine Henson's online product configuration system with the teaching of Peterson regarding item ordering and inventory management. Doing so would provide a means for a manufacturer to track component availability based on the items being ordered online, and thus increase customer satisfaction by accurately indicating item availability and delivery time.

Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henson in view of Peterson, and further in view of Matoba et al. (US 5,231,267).

Henson and Peterson substantially disclose the invention, including generating lead time data, generating a lead confirmation message and displaying it to the user and storing lead data in a database, but fail to teach submitting a lead request, sending lead request data to a dealer, or processing lead status updates. Matoba discloses a manufacturing planning system that includes an online lead time estimating function for calculating lead time based on product specifications and work demand. For example, a manufacturer's production schedule and product completion date can be adjusted with input from a material requirements planning module, a work demand calculating module and a production capacity adjusting module, giving users a means to receive accurate updated completion dates for a given product (see at least col. 4, lines 14-20, col. 9, lines 5 - 15, col. 12, lines 11-53 and col. 13, lines 14-35). It would have been obvious to combine Henson's online product configuration system and Peterson's item ordering and inventory management system with the teaching of Matoba regarding lead updates. Doing so would allow a manufacturer to calculate and store lead status updates in a

Art Unit: 3625

database and allow users to access the results online in order to keep the customer informed of any delays in delivering a custom system, thereby increasing customer satisfaction.

Claims 25 - 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henson in view of Peterson and Matoba, and further in view of Green et al. (US 6,041,310).

Henson, Peterson and Matoba substantially disclose the invention but fail to teach a site for ordering a vehicle having a specific configuration. Green discloses an online system for collecting customer requirements for a vehicle such as make, model, year, color, engine and transmission, and listing all available vehicles in a dealer's inventory that match the inputted requirements. The system allows a dealer to track inventory accurately and add or remove vehicles based on availability (see at least Figures 7, 8, 9, 12A and col. 8, line 16 to col. 10 line 60). It would have been obvious to combine the systems of Henson, Peterson and Matoba with the teaching of Green regarding a vehicle sales facilitation system. Doing so would allow customers to custom configure and order a vehicle over the Internet in the same way that other complex items such as computers are ordered, edit orders online and track item delivery, increasing sales for auto manufacturers and making car buying easier for customers.

Art Unit: 3625

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sandoval (US 6,345,259) discloses an integrated business and manufacturing system.

Hall et al. (US 6,401,076) discloses an inventory control system.

Shkedy (US 6,260,024) discloses a buyer-driven system for pooling group offers.

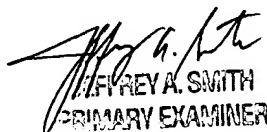
Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MSG

December 30, 2002


JEFFREY A. SMITH
PRIMARY EXAMINER